UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/48/936
9 May 1994

ORIGINAL: ENGLISH

Forty-eighth session
Agenda item 36

LAW OF THE SEA

Letter dated 3 May 1994 from the Permanent Representative of Thailand to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement of the Ministry for Foreign Affairs of the Kingdom of Thailand regarding the position of the Royal Thai Government on the forfeiture of foreign fishing vessels and the imprisonment of foreign fishermen on the offence of violating fisheries laws and regulations in the exclusive economic zones.

I should be grateful if you would have the text of the present letter and its annex distributed as a document of the forty-eighth session of the General Assembly under agenda item 36.

(Signed) Nitya PIBULSONGGRAM
Ambassador
Permanent Representative

ANNEX

Statement of the Ministry for Foreign Affairs of Thailand

It has come to the attention of the Ministry of Foreign Affairs that a number of States have enacted laws and regulations, the de jure and/or de facto effect of which is to forfeit fishing vessels and/or to imprison foreign fishermen arrested on the offence of violating fisheries laws and regulations in their respective exclusive economic zones. The Ministry of Foreign Affairs wishes to make known the position of the Royal Thai Government on this matter as follows:

1. Such forfeiture and imprisonment are clearly in breach, both in letter and spirit, of article 73, paragraphs 2 and 3, of the United Nations Convention on the Law of the Sea of 1982, which all the States concerned do have the obligation to observe in good faith, either as signatories to or ratifiers of the Convention, especially in view of the Convention's impending entry into force as from 16 November 1994;

2. The Royal Thai Government thus feels duty-bound to register through the Secretary-General, in the latter's capacity as the depositary of the United Nations Convention on the Law of the Sea of 1982, a strong protest against such forfeiture and imprisonment. It is fervently hoped that these States will soon rectify their laws and regulations so as to be compatible with the obligations assumed by them under the Convention.